A regular meeting of Borough Council was held at 7:30 PM, Monday, November 14, 2011. Council President Fields presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Fields, Volkert, Grasso, Brennan, Madden, and Perno, Clerk Brouse, Solicitor Higgins and CFO Moules were present.

PUBLIC

Rich James, 130 Westminster Avenue, Leaf concerns regarding the new procedure, residents are saying that they are not going to pick up leaves in the street, that it is too much for them. Council may want to make clear that street is not included.

ENGINEER'S REPORT-attached

APPROVAL OF MINUTES: On a motion of Mr. Brennan and second of Mrs. Madden, Council approved the caucus meeting minutes for 10-3-11 and the regular meeting minutes for 10-17-11.

CORRESPONDENCE- Operation Santa 2011 request for donations for the Jr. Woman's Club Program to provide gifts to up to 50 children.

COUNCIL REPORTS

Mr. Volkert- Public Works, 62 tons of brush and yard waste has been picked up. Firewood is available at the Public Works garage. The leaf schedule started on October 24 and the weekly schedule is east and west sides of town. We have only had one complaint at this time. The leaf machine is working and leaves that are in the street will be picked up in mid to late December. This process has created order and organization to leaf collection. Enclosure can be created on your property, you can place leaves in that area for pickup. Describe what the structure must look like. Shade Tree had no report. The Sewer project will have 6 spot repairs and 20 manhole repairs.

Mr. Grasso-Public Events held a successful mini car show at Wellwood Park. The Santa Shack is almost finished the renovations. We are working on the parade; it is on the front page of the website. We will have two Public Events meetings in November. Schedule of events will go out in the New Year.

Mr. Brennan-Court collected \$15,000 added 389 cases, 492 disposed, working on modify schedule to add one additional court night per month, also working on collections agency for uncollected fines. Police 258 calls for service, 101 parking, 36 crime arrests, 2 DWI. Pill Collection campaign collected over 11 lbs of drugs. Snow and no parking signs are up. Fire Department had 30 calls with 261 calls for year. A fatal fire took place on October 24 at West End Avenue as a result of careless smoking; On October 30 the fire department distributed smoke detectors and changed batteries in that area. On November 11 another fire took place on Chapel Avenue, no one hurt.

Mrs. Madden-West Maple task force held the meeting in Borough Hall and they are working on improvements to that area.

Mr. Perno-The Merchantville Board of Education is hiring new CSA. Consolidation committee will meet on December 6 at the Community Center and will update. Redevelopment of 606 W Maple Avenue, action and report is on the agenda. We will make offer to avoid litigation and will have the original report to fall back on if this does not get approved. The Fire Department roof is up for repairs. Bus shelters and a

building at Maple and Chapel have been hit with graffiti recently. Verizon has been contacted and we are looking into a possible lease.

Mrs. Fields- Code meeting set for new procedures for new businesses, 5 resales, 3 property maintenance, and several complaints regarding 606 W Maple Avenue. The Planning Board meeting will be on November 22. Ways-n-means review. License report attached. Recyclables increased for the year. A flyer for is being sent for the Parade and Breakfast with Santa events.

Clerk's Report- The Revaluation letters have been sent to all property owners and meetings are being set up in the Borough for residents that have issues or questions regarding the new tax amount. The parade and tree lighting is scheduled for December 2nd, rain or shine. Clean up day will be on Saturday, after Thanksgiving. The League of Municipalities is this week in Atlantic City. Public Events will meet on November 11th and 30th this month. Fair and Open bids are due on December 6th and will be ready for review that that time. The Historical Society will be hosting the holiday house tour on December 3rd, tickets can be purchased at Mc Farlan's or Aunt Charlotte's. Breakfast with Santa will be on December 17th beginning at 10:00 at the Community Center.

OLD BUSINESS

NEW BUSINESS

Resolutions to be read by consent agenda: On a motion of Mr. Volkert and second of Mrs. Madden, Council approved the following resolutions by consent agenda:

R11-130 RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY FOR INVESTIGATION LAWSUIT CREDIT FOR 4TH OUARTER TAXES

WHEREAS, tax payments have been paid to the Borough of Merchantville by the owner of 14 Linden Avenue and the Borough tax records did not account for such payments. The investigation and subsequent result determined that a credit should be applied to the account;

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Merchantville that the following credit should be approved on this account in the amount of \$1,629.83 for:

Docket Number	BL.	LOT	NAME & ADDRESS	AMOUNT
F-28204-10	5	14	Moffa, Florence R Trustee	\$1,629.83
			14 Linden Avenue	

R11-131

Resolution OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY Requesting Approval of Items of Revenue

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, in the county of Camden, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the

year 2011 in the sum of \$ 23,500.00, which is now available as a revenue from the State Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$ 23,500.00 is hereby appropriated under the caption Special items of General Revenue; and

BE IT FURTHER RESOLVED that the above is a result of a State grants of \$ 23,500.00 from:

Community Development Block Grant (CDBG) YR 33 TOTAL

23,500.00

R11-132

OF CAMDEN AND STATE OF NEW JERSEY DESIGNATING DEPOSITORIES FOR THE BOROUGH OF MERCHANTVILLE

WHEREAS, R.S. 40A:4-63 provides that monies held in any separate fund shall be treated as monies held in trust for the purpose for which such separate fund was treated and shall not be diverted to any other purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville that 1st Colonial Bank of New Jersey shall be the depositories for the following accounts:

- 1. Current Fund
- Sewer Operating Fund
- 3. Capital Fund
- 4. Sewer Utility Capital Fund
- 5. Animal Control Trust Fund
- 5. Payroll Account
- 6. Construction Trust Fund
- 7. Other Trust Fund
- 8. Developer Escrow Trust Fund
- 9. Flexible Spending Account

BE IT FURTHER RESOLVED, that the Finance Officer shall be the custodian of the funds listed above and that all disbursements shall be made by checks signed by the Mayor and Finance Officer. In the absence of the Mayor, Council President shall sign in her place. In the absence of the Finance Officer, the Borough Clerk, shall sign in her place; and

BE IT FURTHER RESOLVED, that 1st Colonial Bank of New Jersey shall be the depositories for the Payroll Fund of the Borough of Merchantville and the custodian shall be the Municipal Finance Officer. All disbursements shall be made by checks signed by the Municipal Finance Officer or in her absence, by the Borough Clerk.

BE IT FURTHER RESOLVED, that 1st Colonial Bank of New Jersey shall be the depositories for the Municipal Court Regular Account and the Municipal Court Bail Account and the custodian shall be the Court Administrator. All disbursements for the Regular account shall be made by checks signed by the Court Administrator and by the Judge. In the absence of the Court Administrator, the Deputy Court Administrator shall sign in her place. All disbursements for the Bail Account shall be made by checks signed by the Court Administrator and the Deputy Court Administrator. In the absence of the Court Administrator or Deputy Court Administrator, the Judge shall sign.

BE IT FURTHER RESOLVED, that the Mayor (Frank M. North), and the Municipal Clerk (Denise Brouse), may sign using facsimile signatures as evidenced below. The use of a facsimile signature by the Municipal Clerk shall be for the Payroll account only.

R11-133

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN
The Borough of Merchantville AND THE COUNTY OF CAMDEN FOR THE PROVISION
OF MARKETING SERVICES FOR RECYCLABLES

WHEREAS, the County of County, (hereinafter "COUNTY"), has entered into an Agreement with FCR Camden, LLC. d/b/a/ ReCommunity Recycling (hereinafter "OPERATOR") of Charlotte, North Carolina, to provide marketing services for recyclables for Camden County and its municipalities at their facility located at 2201 Mt. Ephraim Avenue, Camden, New Jersey, (hereinafter "FACILITY"); and

WHEREAS, the COUNTY and Merchantville ("hereinafter MUNICIPALITY") are desirous of entering into a Shared Services Agreement, whereby the MUNICIPALITY will benefit from the above-referenced recycling marketing services; and

WHEREAS, such Shared Services Agreement will provide for the processing and marketing of glass, metal, and certain plastic food and beverage containers, newspapers, old corrugated cardboard and mixed residential paper, and such other recyclables as may be determined from time-to-time by the COUNTY which are generated by municipal programs; and

WHEREAS, this Agreement shall begin on January 1, 2012 and shall end on December 31, 2016; and

WHEREAS, in each month where the Average Commodity Revenue of Single Stream recyclables delivered by the MUNICIPALITY to the OPERATOR exceeds \$75.00 per ton, MUNICIPALITY shall receive a revenue share of 55% and the COUNTY shall receive a portion of the remaining 45% that exceeds the \$75.00 per ton; and

WHEREAS, should the amount per ton be less than \$75.00 in any given month during the term of this Agreement, there shall be no cost to the MUNICIPALITY and the COUNTY shall bear all costs and fees from the delivery of recyclables delivered by the MUNICIPALITY to the OPERATOR for that month; and

WHEREAS, additional terms and conditions shall be negotiated by the parties; and WHEREAS, N.J.S.A. 40A:65-1 et seq ("Uniform Shared Services and Consolidation Act") permits two local units to enter into a contract for any services which any party to the agreement is empowered to render within its jurisdiction; and

WHEREAS, the COUNTY and the MUNICIPALITY agree that their mutual public purposes and their best interests will be promoted by the execution and delivery of this Shared Services Agreement pursuant to the powers conferred by the Uniform Shared Services and Consolidation Act; now, therefore,

BE IT RESOLVED, by the Governing body of the Borough of Merchantville, that the proper officials be and are hereby authorized to execute a Shared Services Agreement with the County of Camden, 520 Market Street, Camden, New Jersey 08102, for the provision of marketing recyclables as described herein, at the revenue share and for the term described herein.

BE IT FURTHER RESOLVED, that there shall be no cost to the Borough of Merchantville for the marketing and delivery of recyclables to the OPERATOR under the terms of the Shared Services Agreement with the County of Camden as authorized by adoption of this Resolution.

R11 - 134

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING 2011 BUDGET TRANSFERS

WHEREAS, there are certain 2011 Budget Appropriations of the Borough of Merchantville with balances insufficient to meet requirements for operating Borough Affairs as indicated on the attached schedule; and

WHEREAS, there are 2011 Budget Appropriations with unexpended balances that are not needed for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 provides for Transfers to those accounts having insufficient balances:

Social Security	1-01-36-845-302	10,000.00	
Unemployment Compensation Ins.	1-01-23-734-000		8,000.00
Animal Control Dog Regulation	1-01-27-788-251		2,000.00
	TOTAL	10,000.00	10,000.00
Sewer Utility Budget Description	Account Number	Transfer Out	Transfer In
Sewer Utility Salary & Wages	0-07-55-501-100	1,000.00	
Sewer Utility Social Security	0-07-55-541-501		1,000.00
Sewer Utility Social Security	0-07-55-541-501		1,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that the following transfers are hereby approved as indicated on the above schedule.

R11-135

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY ESTABLISHING AND IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF PROFESSIONAL SERVICES PROVIDERS FOR THE BOROUGH OF MERCHANTVILLE IN THE CALENDAR YEAR 2012

WHEREAS, the Borough of Merchantville requires the services of various professional service providers; and

WHEREAS, professional services are exempt from the requirement of public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Borough of Merchantville continues to find it advisable to select professionals primarily on the basis of qualification including qualifications uniquely suited to the needs of the Borough of Merchantville; and

WHEREAS, the Borough of Merchantville has determined that it is appropriate to implement a fair and open process for the awarding of professional service contracts; and

WHEREAS, to receive statements of qualification in a manner that fosters a fair and open process it is necessary and advisable to establish advance general criteria and specific minimum requirements for so many of those appointments as possible; and

WHEREAS, the Borough of Merchantville has determined that a fair and open process requires public advertisement of professional appointments in a manner and with sufficient time to provide notice in advance of the contemplation of the appointment and the criteria to be considered in making the appointment; and

WHEREAS, the Borough of Merchantville has determined that a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the governing body and then published in accordance with N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council of the Borough of Merchantville as follows:

- 1. All professional service appointments contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
- 2. The Borough Clerk shall cause a legal notice to be published in a newspaper authorized to publish legal notices for the Borough, stating that a full listing of all professional service appointments subject to a fair and open process together with the criteria established for the consideration of qualifications will be posted on the Borough's internet website beginning no later than November 15, 2011.

- 3. The criteria for each position contained on Schedule A follows immediately subsequent to the listing on Schedule A. These criteria shall be disclosed together with the posting of these positions on the Borough's internet website as set forth above.
- 4. The website posting shall inform potential applicants that all submissions must be made to the Office of Borough Clerk and received not later than 12:00 p.m. December 6, 2011.
- 5. Commencing at 12:01 p.m. on December 6, 2011, or as soon thereafter as may be possible, the Borough Clerk or his designee shall publicly open and announce all submissions in the Borough's public meeting room.
 - 6. The Mayor and Borough Council shall thereafter review all submissions.
- 7. Appointments shall thereafter be made at a public meeting of the Mayor and Borough Council of the Borough of Merchantville.
- 8. Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED, that the Mayor and Borough Council have determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

ORDINANCES FOR INTRODUCTION ON FIRST READING

Ordinance 11-12 Amending Chapter 25: On a motion of Mr. Volkert and second of Mr. Brennan, the following Ordinance was introduced:

11-12

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING CHAPTER 25, FEES, IN THE CODE OF THE BOROUGH OF MERCHANTVILLE

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, and State of New Jersey, that Article II of Chapter 25, Fees for Public Records, in the Code of the Borough of Merchantville is hereby amended as follows:

ARTICLE I. SECTION 25-7 Fee Schedule.

The following schedule of fees is hereby added to the fees so listed in Section 7 of Article II. of Chapter 25 of the Code of the Borough of Merchantville, as follows:

Certified copy	\$ 10.00
Affidavit of domestic partnership	\$ 10.00
Birth certificate	\$ 10.00
Death certificate	\$ 10.00
Each additional certified copy (each)	\$ 10.00

ARTICLE II.

All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

ARTICLE III.

This Ordinance shall take effect upon its passage and publication according to law.

ORDINANCE OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE ACQUISITION OF CERTAIN LAND BY THE BOROUGH OF MERCHANTVILLE FROM MALIK & SON LLC, AND AUTHORIZING THE LITIGATION NECESSARY TO IMPLEMENT SAID ACQUISITION

WHEREAS, the Borough of Merchantville (hereinafter "Merchantville") is a municipal entity organized under the laws of the State of New Jersey and located in Camden County; and WHEREAS, by Resolution adopted on January 11, 2010, and pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:20-1 et seq. ("Local Redevelopment and Housing Law"), set forth at N.J.S.A. 40A:12A-6(a), the Borough Council of the Borough of Merchantville ("Borough") directed the Planning Board of the Borough of Merchantville ("Planning Board") to conduct a preliminary investigation to determine whether an area comprising the West Maple Avenue Redevelopment Area, inclusive of Lots 2 & 3 in Block 9 on the Official Tax Map of the Borough (hereinafter designated as the "West Maple Avenue Redevelopment Area") as an area in need of redevelopment in accordance with the criteria set forth in the Local Redevelopment and Housing Law; and

WHEREAS, the Planning Board conducted a preliminary investigation in accordance with the guidelines set forth in the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-6, and held a public hearing on this matter; and

WHEREAS, by Resolution adopted on June 8, 2010, and pursuant to N.J.S.A. 40A:12A-6(b)(5), the Planning Board recommended to the Borough Council that the Merchantville West Maple Avenue Redevelopment Area be determined to be an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, by Resolution adopted July 11, 2010, the Borough Council approved the Planning Board's recommendation that the area comprising the stated West Maple Avenue Redevelopment Area was determined to be an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-6; and

WHEREAS, by Ordinance adopted June 13, 2011, the Borough Council adopted the Redevelopment Plan of the Borough of Merchantville ("Redevelopment Plan") for the Redevelopment Area, based on the report containing the recommendation of the Planning Board following the Planning Board's review of the Redevelopment Plan; and WHEREAS, the Malik & Son LLC is the owner of real property located at 606 West Maple Avenue, more fully described as Lots 2 & 3 in Block 9 on the Official Tax Map of the Borough of Merchantville, which is within the boundaries of the stated West Maple Avenue Redevelopment Area; and

WHEREAS, Merchantville has made a bona fide offer to purchase the above referenced property from Malik & Son LLC for consideration in the amount of Two Hundred, Seventy Thousand (\$270,000.00) Dollars; and

WHEREAS, this bona fide offer to purchase this property made by Merchantville has been rejected by Malik & Son LLC; and

WHEREAS, Merchantville wishes to assert its rights of eminent domain and commence a condemnation action to acquire this property from Malik & Son LLC; and

WHEREAS, the acquisition of this property by Merchantville is consistent with and in furtherance of the above-mentioned redevelopment agreement; and

WHEREAS, it is the intention of the Mayor and Borough Council of the Borough of Merchantville to authorize the proper municipal officials to prosecute this litigation and execute the appropriate documents on behalf of the Borough of Merchantville in furtherance of this property acquisition.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Merchantville, County of Camden, State of New Jersey that, pursuant to and in furtherance of the authority granted to the municipality under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the acquisition of the real property located at 606 West Maple Avenue, in the Borough of Merchantville, more fully described as Lots 2 & 3 in Block 9 on

the Official Tax Map of the Borough of Merchantville from the Malik & Son LLC is hereby approved; and

AND BE IT FURTHER ORDAINED that Frank M. North, Mayor of the Borough of Merchantville and Denise Brouse, Borough Clerk of the Borough of Merchantville be and hereby are authorized to execute the appropriate documents to implement said acquisition on behalf of the Borough of Merchantville; and

AND BE IT FURTHER ORDAINED that the Timothy J. Higgins, Esquire, Borough Solicitor of the Borough of Merchantville, be and hereby is authorized to prepare and file in the Superior Court any and all documents to implement said acquisition on behalf of the Borough of Merchantville.

APPROVAL Joint Insurance fund TULIP program for Community Center rentals –On a motion of Mrs. Madden and second of Mr. Perno, Council approved the TULIP program for the Community Center rentals.

PAYMENT OF BILLS: On the motion of Mr. Volkert and second of Mr. Brennan, Council approved the following resolution:

R11-136 RESOLUTION

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2010 BUDGET		180.00
	2011 BUDGET	50,736.29	641,604.73
	GRANTS		919.39
	DEBT SERVICE		
	BOARD OF EDUCATION*		1,081,916.00
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	10/21/11 11/4/11		112,268.70
WIRES / MANUAL CHECKS			82,448.10
	TOTAL CURRENT	50,736.29	1,919,336.92
SEWER UTILITY			
CHECKS SEWER FUND			
	2011 BUDGET		
	DEBT SERVICE		
WIRE TRANSFERS PAYROLL	10/21/11 11/4/11		5,650.10
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
	TOTAL SEWER	0.00	5,650.10
GENERAL CAPITAL FUND			
CHECK CAPITAL FUND			9,840.50
MANUAL CHECK			
WIRE TRANSFERS PAYROLL			
	TOTAL CAPITAL	0.00	9,840.50

CHECK TRUST OTHER FUND			11,215.00
WIRE TRANSFERS PAYROLL	10/21/11 11/4/11		3,194.84
WIRES / MANUAL CHECKS			2,600.00
	TOTAL TRUST	0.00	17,009.84
SEWER CAPITAL FUND			
CHECK SEWER CAPITAL			
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL	10/21/11 11/4/11		
	TOTAL SEWER CAPITAL	0.00	0.00
	TOTAL BEWER CALLARE		
DECDEATION TRUCT			
RECREATION TRUST		300.00	
CHECK RECREATION TRUST		300.00	
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL	10/21/11 11/4/11		569.92
	TOTAL SEWER CAPITAL	300.00	569.92
ANIMAL TRUST FUND			289.88
ANIMAL TRUST CHECK			
	TOTAL ANIMAL TRUST	0.00	289.88
UNEMPLOYMENT			
UNEMPLOYMENT CHECK			7,392.95
CIVENII EO IMENTO CIECEN	TOTAL UNEMPLOYMENT	0.00	7,392.95
-	TOTAL ONLINI LOTWIENT	3.00	1,372.93
TOTAL DILL LICE (51.026.20	1,000,000,11
TOTAL BILL LIST &	& MANUAL CHECKS/WIRE	51,036.29	1,960,090.11
		GRAND	0.044.400.40
		TOTAL	2,011,126.40

ANNOUNCEMENTS: Parade and tree lighting is December 2. Clean up day is November 19, Public Events meetings November 23 and 30. House Tour December 3. Breakfast with Santa December 7.

ADJOURNMENT: On the motion of Mr. Perno and second of Mr. Volkert, the meeting was adjourned at 8:18 PM.

DENISE BROUSE BOROUGH CLERK